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Paper No. 9

KIMBERLY-CLARK WORLDWIDE INC
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OFFICE OF PETITIONS

In re Application of
Francis Paul Abuto et al
Application No. 10/034,079
Filed: December 20, 2001
Attorney Docket No. 15708

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: DECISION DISMISSING
: PETITION
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This is a decision on the petition for reconsideration filed November 25, 2002, requesting that the above-identified application be accorded a filing date of December 20, 2001, pursuant to the provisions under 37 CFR 1.10, rather than the presently accorded filing date of December 17, 2001. The petition is filed in response to the Decision Dismissing Petitions mailed September 30, 2002.

The reconsideration is accompanied by, inter alia, a copy of the Express Mail label, receipt no. EL917863985US. While the copy of the Express Mail label bears a handwritten "date-in" of December 17, 2001, it also includes a "Alpharetta, GA".

In view of the above, the evidence is convincing that the application was deposited as "Express Mail" with the US Postal Service on December 20, 2001.

The application is being returned to the Office of Initial Patent Examination for correction of the filing date to December 20, 2001.

Telephone inquiries specific to this matter should be directed to Wan Laymon at (703) 306-5685.

Brian Hearn
Special Projects Examiner
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for Patent Examination Policy